



Order Filed on April 14, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

FLASTER/GREENBERG P.C.

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In re:

CARPENTER REALTY CORPORATION, *et al.*,

Debtors.

Case No. 21-18789-JNP
(Jointly Administered)

Judge: Jerrold N. Poslusny, Jr.
Chapter: 11

**ORDER AUTHORIZING PLAN ADMINISTRATOR'S FIRST OMNIBUS OBJECTION
(SUBSTANTIVE) TO CLAIMS**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: April 14, 2023

A handwritten signature in dark ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtors: CARPENTER REALTY CORPORATION, *et al.*

Case No: 21-18789-JNP

Caption of Order: Order Authorizing Plan Administrator's First Omnibus Objection to Claims

THIS MATTER having been brought before the court by Holly S. Miller, the Plan Administrator to Carpenter Realty Corporation, *et al.* on behalf of the Estate of Carpenter Realty Corporation, *et al.*, by way of a First Omnibus Objection (Substantive) to Claims pursuant to Rule 3007 of the Federal Rules of Bankruptcy Procedure;

IT IS ORDERED that the objections set forth in the First Omnibus Objection (Substantive) to Claims is hereby GRANTED and the following Claims shall be **EXPUNGED**:

Creditor	Claim Number/Debtor	Amount
CM3 Building	4/Carpenter Realty	\$10,941.97
Toyota Lease Trust	15/Carpenter Realty	\$12,304.00
Bank of America	1/Carpenter Realty	\$79,274.33
NJ Div. of Taxation	5/Carpenter Realty	\$40,000.00
Johnson Controls Fire Protection	11/Carpenter Realty	\$520.00
Johnson Controls Security Solutions	12/Carpenter Realty	\$862.66
US Small Business Association	1/Carpenter Warehousing	\$8,945.32
NJ Div. of Taxation	6/Carpenter Warehousing	\$1,055.59
NJ Div. of Taxation	2/Carpenter Warehousing	\$4,022.90

IT IS FURTHER ORDERED that with respect to the following claims, the First Omnibus Claim Objection remains contested and pending and subject to a separate scheduling order and well as a further order from this Court (the “Imbesi Claims”): (i) Claim Number 13 filed by Mark Imbesi in the Carpenter Realty case in the amount of \$252,162.84 (ii) Claim Number 10 filed by Marianne Imbesi in the Carpenter Warehousing Case in the amount of \$195,205.30 and (iii) Claim Number 8 filed by Mark Imbesi in the Briardale Case in the amount of \$1,715,229.44.

IT IS FURTHER ORDERED that to the extent that the reconciliation process of the Intercompany Claims (as defined in the First Omnibus Objection) could be deemed a “Claim

Objection” as contemplated Section 2.3 of the Plan, the First Omnibus Objection fully satisfies and tolls the Plan Objection Deadline for Claims (as defined in ¶6 of the First Omnibus Objection) with respect to the Intercompany Claim and that no further objections be deemed time barred with respect to any objections to the Intercompany Claim and any related objections, claims or matters.

IT IS FURTHER ORDERED that, with respect to all of the Imbesi Claims, the Plan Objection Deadline for Claims as it pertains to such claims be deemed tolled and that no further, different, or additional objections (regardless of whether substantive or procedural), be deemed time barred with respect to the claims identified herein and any additional objections, claims or matters.

IT IS FURTHER ORDERED that the NJ Litigants (as defined in the Plan) have standing to join or, to the extent necessary and appropriate, independently prosecute the objections to the Imbesi Claims as well as the Intercompany Claims.

IT IS FURTHER ORDERED that the rights of the Plan Administrator and the NJ Litigants, to the extent necessary and appropriate, to amend, modify, supplement this Claims Objection, and to file additional, other, or further objections or adversary proceedings, with respect to any Proofs of Claim filed in these cases, including without limitation, objection as to the amounts asserted therein, or any other claims (filed or not) against the Debtors, regardless of whether such claims are subject to this objection are expressly reserved. Should one or more of the grounds stated in the First Omnibus Objection be dismissed or overruled, the rights of the Plan Administrator and the NJ Litigants to object on other stated grounds, or on any other ground that they discover during the pendency of this case, are also reserved. In addition, the Plan Administrator reserves the right to file counterclaims against the holder of any such claims.